

PATENT

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : RAYMON W. LUSH                                GROUP NO.: 3643  
SERIAL NO. : 10/827,034                                        EXAMINER: R. Swiatek  
FILED : April 19, 2004  
TITLE : SQUIRREL REPELLING HANGER FOR A BIRD  
FEEDER OR THE LIKE

5

04/14/2005 TBESHAR 00000011 10827034

01 FC:2814

65.00 0P

TERMINAL DISCLAIMER

10

Commissioner for Patents .  
Alexandria, VA 22313

Dear Sir:

15

I, Dennis L. Thomte, attorney of record, represent that applicant is the exclusive owner of the entire right, title and interest of, in and to patent application Serial No. 10/827,034 filed April 19, 2004, and is the exclusive owner of the entire right, title and interest of, in and to U.S. Patent No. 6,604,487 which issued August 12, 2003, and that as attorney of record for applicant, I am empowered to act on behalf of applicant.

20

The applicant hereby disclaims the terminal portion of the term of any patent granted on the above-identified application which would extend beyond the date of U.S. Patent No. 6,604,487, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that said patent is commonly owned with U.S. Patent No. 6,604,487, this agreement to

25

1 run with any patent granted on the above-identified application and to be binding  
upon the grantee, its successors or assigns.

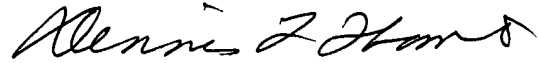
5 In making the above disclaimer, applicant does not disclaim the terminal part  
of any patent granted on the instant application that would extend to the expiration  
date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173, as  
presently shortened by any terminal disclaimer of the above-listed patent, in the  
event that it later expires for failure to pay a maintenance fee, is held unenforceable,  
is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole  
10 or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a  
reexamination certificate, is reissued, or is otherwise terminated prior to the  
expiration of its full statutory term as presently shortened by any terminal disclaimer.

15 I hereby declare that all statements made herein of my own knowledge are  
true and that all statements made on information and belief are believed to be true;  
and further that these statements were made with the knowledge that willful false  
statements and the like so made are punishable by fine or imprisonment, or both,  
under Section 1001 of Title 18 of the United States Code and that such willful false  
statements may jeopardize the validity of the application or any patent issued  
20 thereon.

25 A check is enclosed for filing a Terminal Disclaimer by a small entity in  
accordance with 37 C.F.R. 1.20(d). If an additional fee is required, the Commissioner  
is hereby authorized to charge any required fees to Deposit Account No. 502093.

1

Respectfully submitted,



\_\_\_\_\_  
DENNIS L. THOMTE  
Registration No. 22,497  
THOMTE, MAZOUR & NIEBERGALL  
Attorneys of Record

5

Suite 1111, 2120 South 72nd Street  
Omaha, NE 68124  
(402) 392-2280

Date: 4/11/05

10

15

20

25